

FILED

APR 29 2011

**Clark, U.S. District & Bankruptcy
Courts for the District of Columbia**

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA
WASHINGTON, D.C.

#14431-038
Vincent Michael Marino *C-74UNIT*
USP-Pollock
Plaintiff, *POB 2077*
Pollock, LA. 71467
V.
Central Intelligence Agency;
National Security Agency;
Defense Intelligence Agency;
National Aeronautics and Space Administration;
National Security Counsel;
National Security Director;
National Reconnaissance Office;
Defense Advanced Research Project Agency;
Federal Bureau of Investigation;
Drug Enforcement Administration;
Department of Defense (Pentagon);
United States Department of State;
Federal Bureau of Prisons;
Defense Threat Reduction Agency;
National Science Foundation;
Executive Office of the President Office of Science & Technology Policy;
National Geospatial Intelligence Agency;
Department of Home Land Security;
Department of Energy;
United States Department of Justice;
Bureau of Alcohol, Tobacco, Firearms & Explosives,
Commander U.S. Army Intelligence & Security,
Department of the Army Headquarters,
The Advocate General,
Commandant of the Marine Corps,
Department of the Airforce,
Department of the Navy,
Defendants'.

Civil Action # _____.

Case: 1:11-cv-00813
Assigned To : Collyer, Rosemary M.
Assign. Date : 4/29/2011
Description: FOIA/Privacy Act

Date: *April 26th* 2011.

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

[1] This is an action under the Freedom of Information Act ("FOIA") 5 U.S.C. Section 552 & Privacy Act ("PA") 5 U.S.C. Section 552a as amended, to order the production of agencies: CIA, NSA, DIA, NASA, NSC, NSD, NRO, DARPA, FBI, DEA, DOD (Pentagon), U.S. DOS, FBOP, DTRA, NSF, OSTP, NGIA, DHS, DOE, DOJ, BATFE, hereinafter referred to as "**defendants/agencies**" to hand over records concerning Plaintiff Vincent Michael Marino (aka) Vincent Michael Portalla (aka) Gigi, consisting of all records generated by the above agencies concerning the ***November 24, 1996 surgical implantation of numerous devices in Plaintiff Marino's brain & body*** by the above defendants & other both known and unknown intelligence.

APR 29 2011

agencies & federal agencies without Plaintiff Marino's valid consent and without a valid court warrant, while Marino was under general anesthesia at the Massachusetts General Hospital "MGH" owned by Partners Health Care Systems Inc Boston, Massachusetts, for a "**RUSE**" Laparoscopic exploratory surgery & bullet removal generated from a gunshot wound to Marino's left upper buttocks area of Marino's body, while Marino was under intense FBI & Intelligence agency surveillance via Satellite, Drone, Aircraft, electronic & physical surveillance generated from a Roving Court Order. See roving court order active date from November 13, 1996 through December 13, 1996.

[2] The above records & the following records are requested to be disclosed. Answer each request for production, in each response provide both the information that identifies the documents & the documents number. For each separate document or other requested information That **defendants/agency's** asserts is privileged or is not disclosed identify that document or other requested information, stating the specific grounds for the claims or privilege or other ground for exclusion. For each document claims is not discoverable, state the information required by the definition of 'document' below & in addition include all experiments, Research & Development (R&D), generated from the implanted deices in Marino's brain & body, including all paranormal, esoteric phenomena events, from November 24, 1996 through current date 2011.

[3] Also more specifically concerning the generated paranormal & esoteric phenomena events The specific dates in which the events were facilitated starting in February 2004, at FCI McKean, Pennsylvania through 2011, which includes USP Canaan Pennsylvania, USP Lewisburg Pennsylvania, FCI Ray Brook, New York, MDC Brooklyn New York, FTC Oklahoma City, Oklahoma, USP Pollock Louisiana, generated video surveillance of the paranormal, esoteric phenomena events.

[4] This Court has jurisdiction over this action pursuant to Title 5 U.S.C. Section 552(a)(4)(B).

[5] Plaintiff Marino is an inmate currently held at United States Penitentiary Pollock P.O. Box 2099 Pollock Louisiana 71467, by the defendant United States Department of Justice's Federal Bureau of Prisons & is a historic & current unwitting covert government experiment. As the BOP/DOJ, is fully cooperating with the other defendants described supra, in an compartmentalization capacity, only knowing certain particulars concerning the Super Secret Covert Marino Project, basically on a need to know basis, however accessed to certain documents, video surveillance, biological specimens, use of sensors, electromagnetic radiation intelligence (RADINT), at the direction of the other defendants known and unknown.

[6] Because of the government's defendants supra unlawful, unconstitutional, unethical wrongdoing action & inactions to stop the covert governmental surveillance & experiments on Marino's brain & body described supra is causing Plaintiff Marino "irreparable harm" nose bleeds, loss of 4 good teeth, tooth decay, periodic pain in body & brain, loss of sleep from the over-load of electromagnetic radiation transmitting & receiving to & from Marino's brain & body continuously from November 24, 1996 through current date 2011, close to fifteen years without Marino's valid consent & without a valid court warrant, now the government's wrongdoing being disguised & covered up under the "**RUSE**" of National Security, Classified Information & Executive Order, by the above culpable defendants & then concealing the records

showing egregious gross unlawful governmental experiments on Marino & misconduct in conjunction with the above described defendant with the Federal Bureau of Prisons United States Department of Justice defendants.

[7] Thus, Plaintiff Marino needs the requested documents & information to help Marino specifically find & locate the implanted devices for its eventual removal to help prevent Marino from any additional “irreparable harm” that the implanted devices are causing Marino, as the implanted devices are generating ***radiation transmitting & receiving is cumulative***. And to also explore additional further civil litigation which may be available through either the ***Federal Tort Claim*** Process or ***Bivens civil action*** process or both civil actions to further the interest of justice.

[8] Thus, the defendants supra, Agencies of the United States of America has in their possession of and control over the records that Plaintiff Marino seeks.

[9] Plaintiff Marino has clearly exhausted his administrative remedies by first filing the FOIA/PA requests to each agency’s defendants described supra & then once denied appealing to each of the above described agencies resisting to hand over the above requested documents, before Plaintiff Marino seeks further judicial review as shown herewith.

Synopsis of Defendants/Agencies Resisting to hand over Documents to Marino Even After Marino Exhausted His Administrative Remedies

[10] ***Defendant: Central Intelligence Agency (CIA)*** on 11-10-2010 CIA resisted to handover documents to Marino, Reference #P-2011-00057. On 12-16-2010 Marino appealed to Agency Release Panel for FOIA/PA concealed records at CIA Agency Release Panel Washington D.C. 20505, CIA again resisted to hand over documents to Marino.

[11] ***Defendant: National Security Agency (NSA)*** on 11-23-2010 NSA resisted to handover documents to Marino, FOIA case #63268. On 11-30-2010 NSA again resisted to hand over documents to Marino. On 12-15-2010 Marino appealed to NSA 9800 Savage Road Suite 6248 Fort George G. Meade Maryland 20755-6248 Appeal #63268A. NSA again resisted to handover documents to Marino.

[12] ***Defendant: Defense Intelligence Agency (DIA)*** on 10-26-2010 DIA resisted to handover documents to Marino, FOIA #U-10-4,500 DAN-1A & PA # PA-0011-2011, & FOIA # U-11-6,515/DAN-1A. On 1-14-2011 DIA resisted once again to hand over documents. On 2-22-2011 Marino appealed to DIA ATTN: DAN-1A FOIA 200 McDill Blvd., Washington, D.C. 20340-5100, DIA again resisted to hand over documents to Marino.

[13] ***Defendant: National Aeronautics Space Administration (NASA)*** On 10-27-2010 NASA resisted to hand over documents to Marino, Ref.# 11-HQ-F-00079. Ref.#P-04-392, dates 1-20-2006, & on 11-10-2010 Marino appealed to NASA Head Quarters Mail Suite FOIA Washington, D.C. 20546-0001. On 11-22-2010 NASA rejected Marino’s appeal & resisted to hand over documents to Marino. NASA incorrectly dated the letter as Oct. 27, 2010 as the envelope was post marked as 11-22-2010 further supporting NASA interference & misconduct.

[14] **Defendant: Defense Advanced Research Project Agency (DARPA)** FOIA #05-FP-1008, #05-FP-1009, #05-FP-1011, #04-F-1060, #04-P-0116 continuously resisting to handover documents to Marino. Marino's numerous appeals were also denied, Defense Research Project Agency 3701 North Fairfax Drive Arlington, Virginia 22203-1714.

[15] **Defendant: National Reconnaissance Office (NRO)** on 1-20-2006, 10-13-2010, 10-26-2010 NRO resisted to handover documents to Marino, reference case # P11-0004. On 11-9-2010 Marino appealed to NRO Appeal Authority 14675 Lee Road Chantilly Virginia 20151-1715. On 11-24-2010 NRO resisted to hand over records to Marino denied Marino's appeal.

[16] **Defendant: Federal Bureau of Investigation (FBI)** on 9-28-2010 FBI resisted to handover documents to Marino, FOIA Request #1143388-01. Also see #0996841-000. On 12-21-2010 Marino appealed to Office of Information Policy (OIP) DOJ 1425 New York Avenue N.W. Suite 11050 Washington, D.C. 20530-0001. See appeal # AP-2011-00602 ADW: RMF, on 4-1-2011, OIP denied Marino's appeal again, FBI resisted to handover documents to Marino.

[17] **Defendant: National Geospatial Intelligence Agency (GIA)**, on 11-9-2010 GIA resisted to handover documents to Marino, (GIA) FOIA #OGCA-2011-10C & FOIA#2011-10c. Also see OGCC-2005-0064P, 1-18-2006, 10-11-2010. On 11-15-2010 Marino appealed. Again NGA resisted to handover documents, National Geospatial Intelligence Agency Bethesda FOIA/PA Unit 4600 Sangamore Road Bethesda, Maryland 20816-5003.

[18] **Defendant: National Security Counsel (NSC)** FOIA/PA #Date 10-13-10, 1600 Pennsylvania Ave. N.W. Washington, D.C. 20500-0003, both historic & current resisted to handover documents to Marino. Marino appealed & NSC failed to respond.

[19] **Defendant: Defense Threat Reduction Agency (DTRA)**, on 10-20-2010 DTRA resisted to handover documents to Marino, DIR-PA FOIA case #11-007. On 11-23-2010 DTRA resisted to hand over documents to Marino & denied Marino's appeal. Also see #04-082, #05-052, #05-APP-002 & 10-13-2010. See efoia@dtra.mil, by Director of DTRA 8725 Kingman Road Fort Belvoir, Virginia 22060-6201.

[20] **Defendant: Office of Science & Technology (OSTP)**, on 10-28-2010 OSTP resisted to handover documents to Marino, FOIA No. 11-04. Also see #05-22, dates 1-20-2006, 10-13-2010 & 2011. On 11-3 & 6-2010 Marino appealed via e-mail OSTPFOIA@ostp.eop.gov & OSTP denied Marino's appeal & again resisted to handover documents to Marino. OSTP1600 Pennsylvania Ave, N.W. Washington, D.C. 20502.

[21] **Defendant: National Science Foundation (NSF)**, on 11-30-2010 resisted to handover documents to Marino, case #11-023F. Also see 1-21-2006, 10-13-2010 & 2011. On 12-15-2010 Marino appealed & again NSF failed to respond, resisting to handover documents to Marino, National Science Foundation 4201 Wilson Blvd., Arlington, Virginia 22230.

[22] **Defendant: National Security Director (NSD)**, FOIA/PA #Dates: 1-17- 2006, 10-13- 2010, 3-14- 2011, both historic & current NSD resisted to handover documents to Marino. Marino

appealed, & NSD failed to respond, again resisting to handover documents to Marino, Director of National Security 1600 Pennsylvania Avenue N.W. Washington, D.C. 20511.

[23] **Defendant: Drug Enforcement Administration (DEA)**, within the past 14 years both historic & current DEA resisted to handover documents to Marino. See also FOIA#05-0777-P, #04-1187-P, #00-0052-P. Marino appealed & DEA failed to respond, again resisting to handover documents to Marino. DEA Headquarters 8701 Morrisette Drive Springfield, Virginia 22152.

[24] **Defendant: Department of Defense (DOD), (Pentagon)**, FOIA/PA #04-F-1804 & #04-P-0167 & date 10-13-2010, both historic & current resisted to handover documents to Marino. Marino appealed & DOD failed to respond again failing to handover documents to Marino, Department of Defense (DOD) 1155 Defense Pentagon Washington, D.C. 20301.

[25] **Defendant: United States Department of State (DOS)**, both historic & current DOS resisted to handover documents to Marino. Marino appealed & DOS failed to respond again resisting to handover documents to Marino, State Department 1600 Pennsylvania Ave. N.W. Washington D.C. 20500.

[26] **Defendant: Federal Bureau of Prisons (FBOP)**, both historic & current resisted to handover documents to Marino. Marino appealed & BOP failed to answer, again resisting to handover documents to Marino, Federal Bureau of Prisons U.S. Department of Justice HOLC Building Suite 841 Washington, D.C. 20534.

[27] **Defendant: Department of Home Land Security (DHS)**, FOIA/PA Request dates: 1-18-2006, 10-13-2010, 2011, both historic & current resisted to handover documents to Marino. See also DHS/OS/PO #05-486. Marino appealed & HLS, failed to respond, again resisted to handover documents to Marino. Department of Home Land Security 1300 Pennsylvania Ave. N.W. Washington D.C. 20229.

[28] **Defendant: Department of Energy (DOE)**, FOIA/PA #F-2004-00138, both historic & current resisted to handover documents to Marino. Marino appealed, & DOE failed to respond again resisting to handover documents to Marino, United States Department of Energy 1000 Independent Avenue S.W., Washington, District of Columbia 20585.

[29] **Defendant: United States Department of Justice (DOJ)**, both historic & current resisted to handover documents to Marino. Marino appealed & DOJ failed to answer, again resisting to handover documents to Marino, U.S. Attorney General's Office/ United States Department of Justice 950 Pennsylvania Avenue N.W. Room 4400 Washington, D.C. 20530.

[30] **Defendant: Bureau of Alcohol, Tobacco, Firearms & Explosives (BATFE)**, both historic & current resisted to handover documents to Marino. See also FOIA#04-1408-JMP-100060 & #04-1223-JMP-100060. Marino appealed & BATFE failed to respond, again resisting to handover documents to Marino, Bureau of Alcohol, Tobacco, Firearms & Explosives 950 Pennsylvania Avenue N.W. Washington, D.C. 20530.

[31] **Defendant: Commander U.S. Army Intelligence & Security Command**, FOIA/PA #1084P-05, #1730P-04, #1419P-04. 4552 Pike Road, Fort Meade Maryland, 20755-5995, resisted to hand over any documents to Marino.

[32] **Defendant: Department of the Army Headquarters**, FOIA#04-00280, #04-00196, U.S. Army Medical Command 2050 Worth Road Fort Sam Houston, Texas 78234-6000, resisted to hand over any documents to Marino.

[33] **Defendant: The Office of the Judge Advocate General (Code 14)**, FOIA#5720-F05-156-ser-JSH/436 & #5720-F05-198-ser-MLJ/R471. 1322 Patterson Ave., SE, STE 3000 Washington, D.C. 20374-5066, resisted to hand over any documents to Marino.

[34] **Defendant: Commandant of the Marine Corps., Headquarters U.S. Marine Corps (ARSF)**, FOIA#HQMC-2005-00799 5720-ARSF-B, 5 U-101-217-HQMC-2005-00699, 2 Navy Annex Washington, D.C. 20380-1775, resisted to hand over documents to Marino.

[35] **Defendant: Department of the Air-Force HAF/ICIOD (FOIA)**, FOIA#05-0755. 1000 Air Force Pentagon Washington, D.C. 20330-1000, resisted to hand over documents to Marino.

[36] **Defendant: Department of the Navy Headquarters Code 00LTF**, FOIA#570-F05-0677 SER-00LJF/5 U 0859. 716 Sicard Street SE STE 2000 Washington, D.C. 20388-5380, resisted to hand over documents to Marino.

[37] Plaintiff Marino has a statutory right to the records that he seeks, and there is no legal basis for the defendant's refusal to disclose them to him. As the records will show historic & current egregious gross governmental misconduct, wrongdoing & the unlawful use of executive orders by the President of the United States Barack Obama, previous Presidents Clinton & Bush improperly utilized the stamp of National Security & Classified documents as a ruse to cover up covert Project Marino, and to conceal the defendants supra wrongdoing continuous historic & current covert human experiments on unwitting Plaintiff Marino at Marino's physical & mental health expense without any transparent corresponding accountability.

Memorandum of Law in Support

[38] Marino states according to *Marino v. Gammel*, 191 F.Supp.2d 243-257 (D.Mass.2002), the government's egregious misconduct before, during & after Marino was shot in his left upper buttocks area of his body while under extensive defendants/agencies supra & other Intelligence Agencies surveillance via Satellite, Drone, Aircraft, physical & electronic roving surveillance authorized by the Court & then Attorney General Order on November 13, 1996 through December 13th, 1996. On November 24, 1996, thereafter Marino was rushed to the Massachusetts General Hospital, hereinafter referred to "MGH", Boston, Massachusetts & placed under general anesthesia by government (Defendants/agencies supra & MGH's staff), for a "**Ruse**" Laparoscopic Exploratory surgery & bullet removal. Defendants/agencies & its agents admitted that they stated to Marino that while Marino was under general anesthesia at the MGH on November 24, 1996, that the defendant/agencies & its agents & MGH's staff surgically

placed numerous electronic satellite tracking, listening microchips in Marino's body & brain, without Marino's valid consent & without a valid court warrant.

The implanted devices in Marino's body showed up on two credible x-ray reports.

One from MGH generated after Marino's surgery for a "Ruse" Laparoscopic Exploratory surgery on November 24, 1996 X-Ray report showing Marino is implanted with an **"Artifact"** in Marino's abdomen. See ***X-Ray #AN-4238607 (11-24-1996) MGH Medical Report*** & the other generated on October 12, 2001, by the United States Department of Justice showing Marino is currently implanted with numerous **"Foreign Bodies"** in Marino's torso. See ***X-Ray #11157 (10-12-2001) U.S. Department of Justice***.

[39] Additionally, according to the above court published documents, the ***defendants/agencies supra*** intelligence agents describe that the use of super advanced, sophisticated billion dollar intelligence communications satellites, echelon intelligence, artificial intelligence, nanotechnology intelligence, Quantum Computer Intelligence surveillance technologies connected to super advanced computers transmitting to & from Marino's implanted devices in Marino's brain & body historically & currently being used to research & development & surveillance study, project at Marino's physical & mental health expense which is causing Marino extreme irreparable harm as the government's use of Electromagnetic, RADINT, COMINT, HUMINT, SATINT, Quantum Intelligence unwarranted radiation on Marino's body & brain to facilitate research & development studies, procedures from ***defendants/agency's*** & other agencies known & unknown & may be utilizing foreign governments such as Russia, Japan, England, Germany, France, India, to spy on Marino from 1996 through 2011 current date, to research & develop (R&D), super advanced esoteric science technologies against the laws of nature by conducting human experiments on Marino all generated from the unlawful, unconstitutional implantation of numerous devices in Marino's brain on November 24, 1996, while Marino was under general anesthesia at MGH, Boston, Massachusetts by the ***Defendants/Agencies***, without any transparent corresponding accountability & in violations of Federal Statutory & Constitutional laws.

[40] ***Executive Orders*** "Prescribes a uniform system for classifying, safeguarding, and declassifying national security information.' More importantly it also sets forth limits on what may be classified, by what authority, and for how long. First among the limits are prohibitions against classifying information in order to ***"Conceal violations of law, inefficiency, or administrative error"*** or ***"prevent embarrassment to a person, organization, or agency."*** Concerning the unlawful, unethical, unconstitutional historic & current human experiments conducted on Marino's brain & body via the implantation of numerous devices in Marino's brain & body without Marino's valid consent & without a valid court warrant. The ***defendants/agency's*** & other intelligence agencies is conducting themselves in the same manner NAZI Germany did in the Nuremberg Human experiments on the Jews & others, being repeated on Marino. Hence, ***in no case shall information be classified in order to conceal violations of State & Federal Statutory Laws, to conceal experiments on United States citizens (Marino),*** conceal inefficiency or administrative error, [or] to prevent embarrassment to a person or department (***Defendants, supra*** & MGH, Partners Health Care Systems Inc & others known & unknown).

Not only were similar safeguards thus contemplated by Congress's 1974 amendment of **exemption 1**, but the current safeguards were also in force at the time of the 1986 amendments to FOIA. See Exec. Order No. 12,356, Section 1.6(a), 47 Federal Register 14874 (1982).

[41] Executive Order No. 12,356, section 1.6(a), 47 Federal Register 14874 (1982), held "***In no case shall information be classified in order to conceal violations of law***, inefficiency, or administrative error; [or] to prevent embarrassment to a person, organization, or agency..."). See *Marino v. Gammel*, 191 F.Supp.2d 243-257 (D.Mass.2002), in support.

[42] FOIA's purpose is to encourage public disclosure of information in the possession of Federal or Intelligence **agencies/defendants, supra**, so that the people may "know what their government is up to." *U.S. Dept of Justice v. Reporters Comm., for Freedom of the Press*, 489 U.S. 749, 772-73, 109 S.Ct. 1468, 103 L.Ed.2d 774 (1989) (internal quotation & emphasis omitted). "Official information that sheds light on an agency's (**Defendants/Agencies**) performance of its statutory duties falls squarely within that statutory purpose." *Id.* at 773, 109 S.Ct. 1468. The release of information of this sort vindicates FOIA's basic purpose: "to ensure an informed citizenry, vital to the functioning of a democratic society, needed to check against corruption and to hold the governors accountable to the governed." *NLRB v. Robbins Tire & Rubber Co.*, 437 U.S. 214, 242, 98 S.Ct. 2311, 57 L.Ed.2d 159 (1978); see also *Nat'l Archives & Records Admin. v. Favish*, 541 U.S. 157, 172, 124 S.Ct. 1570, 158 L.Ed.2d 319 (2004) (describing FOIA as "a structural necessity in a real democracy)).

[43] A district court "has jurisdiction to enjoin the agency (**Defendants**), from withholding agency records that shows governmental misconduct (*Marino v. Gammel*, 191 F.Supp.2d 243 (D.Mass.2002)), and to order the production of any agency records improperly withheld." Section 552(a)(B). As FOIA applies government-wide and no one agency administers it, no agency is entitled to deference in interpreting its provisions. *Al-Fayed v. CIA*, 254 F.3d 300, 307 (D.C.Cir.2001)(**Citing cases**). Further, FOIA expressly provides for de novo review of agency decisions to withhold records and places the burden of persuasion on the agency. *Reporters Comm.*, 489 U.S. at 755, 109 S.Ct. 1468; see also Section 552(a)(4)(B) ("[T]he Court shall determine the matter de novo...and the burden is on the agency (**Defendants/Agencies**) to sustain its action."). Doubts therefore are to be resolved in favor of disclosure, *FLRA*, 958 F.2d at 508; accord, e.g., *Local 3 Int'l Bhd., of Elec. Workers v. NLRB*, 945 F.2d 1177, 1180 (2d Cir.1988). See, e.g., *Wood v. FBI*, 432 F.3d 78, 82 (2d Cir.2005) ("This Court reviews de novo a district court's grant of summary judgment in FOIA case.").

[44] The egregious misconduct by the (**Defendants/Agencies**, MGH, Partners Health Care Systems Inc., & others both known & unknown), yield evidence of governmental wrongdoing. FOIA's central purpose of furthering governmental accountability, and the special importance the law accords to information revealing official misconduct. *Robbins*, 437 U.S. at 242, 98 S.Ct. 2311 ("The basic purpose of FOIA is to ensure an informed citizenry, vital to the functioning of democratic society, needed to check against corruption and to hold the governors accountable to the governed." (Internal citation omitted)).

[45] **Example**, ("In [the abscam] case there was a definite public interest in release of the tapes because the tapes involved the alleged wrongdoing of elected public officials.").

[46] The *defendants/agency's* preclusion of releasing information to Marino would prevent the championed & the use to hold the perpetrators accountable and the public opinion.

[47] Freedom of Information Act is broadly conceived to reflect a general philosophy of full agency disclosure. 5 U.S.C.A., Section 552.

[48] **Records.** FOIA exemptions are exclusive, and must be narrowly construed. 5 U.S.C.A., Section 552.

[49] **Records.** Official information that sheds light on agency's performance of its statutory duties falls squarely within statutory purpose of the FOIA act. 5 U.S.C.A., Section 552.

[50] We are mindful that the Supreme Court has "stated time and time again that Courts must presume that a legislature says in a statute what it means in a statute what it says there." *Conn. Nat'l Bank v. Germain*, 503 U.S. 249, 353-54, 112 S.Ct. 1146, 117 L.Ed.2d 391 (1992).

[51] Requester Marino also requests disclosure of Classification Levels:

1. "Top Secret."
2. "Secret."
3. "Confidential."

[52] Requester Marino also requests the disclosure of Classification Authority:

1. The President.
2. Agency heads & officials designated by the President in the Federal Register or
3. United States Government Officials delegated this authority pursuant to paragraph (c).

[53] Additionally, the *agency & defendants supra* is requested to supply requester Marino with "**Identifications & Markings**" as follows Identity of the:

1. Classification authority;
2. Classification level;
3. Declassification instructions;
4. The agency & office of origin;
5. "A concise reason for classification;"
6. Which at a minimum cites the applicable classification category's.

[54] **Identify Substantive Criteria.**

The Classification of Information **MAY NOT** be considered for classification unless it concerns of the following categories:

1. Military plans, weapons systems, or operations;
2. Foreign government information;

3. Intelligence activities (including special activities) intelligence sources or methods, or cryptology;
4. Foreign relations or foreign activities of the United States, including confidential sources;
5. Scientific, technological, or economic matters *relating* to the national security;
6. United States Government programs for safeguarding nuclear materials or facilities; or
7. The vulnerabilities or capabilities of systems, installations, projects, or plans *relating* to the national security.

[55] **Minimum Standard.** Information in one of the categories listed above may be classified *only if* “the unauthorized disclosure of the information reasonably could be expected to cause damage to the national security and the original classification authority is able to identify or describe the damage.”

1. **“Top Secret”** shall be applied to information, the unauthorized disclosure of which reasonably could be expected to *cause exceptionally grave damage* to the national security that the original classification authority is able to identify or describe.”

2. **“Secret”** shall be applied to information, the unauthorized disclosure of which reasonably could be expected to *cause serious damage* to the national security that the original classification authority is able to identify or describe.”

3. **“Confidential”** shall be applied to information, the unauthorized disclosure of which reasonably could be expected to *cause damage* to the national security that the original classification authority is able to identify or describe.”

[56] **“National Security”** means the national defense or foreign relations of the United States.”

[57] **Defendant/agency’s** must attempt to establish a specific date or event for declassification based on the duration of the *“national security sensitivity”* of the information.

[58] **Prohibition and Limitations.** Documents **MAY NOT** be classified in order to *“conceal violations of law*, inefficiency, or administrative error, prevent embarrassment to a person, organization or agency; restrain competition; or prevent or delay the release of information that *does not* require protection in the interest of national security.” In addition, basic scientific research information not clearly related to the national security **MAY NOT BE CLASSIFIED**.

[59] **Reclassification.** Information *may not* be reclassified after it has been declassified and released to the public under proper authority, see, e.g., *American Library Association v. Faurer*, 631 F.Supp. 416 (D.D.C.1986) **Defendants/agency’s** classified materials previously disclosed in public library), aff’d for lack of standing, sub nom., *A.L.A. v. Odem*, 818 F.2d 81 (D.C.Cir.1987). Marino’s classified documents were declassified. See **“Project Revere.”**

[60] **Segregability.** Provision of the FOIA, 5 U.S.C., Section 552(b), (“Any reasonably segregate portion of a record shall be provided...”) applies to documents even where **Exemption 1** is claimed, *Paisley v. CIA*, 593 F.Supp 675 (D.C.C.1984).

[61] **Defendant/agency's** must hand-over its *Vaughn index format* to Marino. See *Vaughn v. Rosen*, 484 F.2d 820 (D.C.Cir.1973), *cert denied*, 415 U.S. 977 (1974), which would prove to the Court the **defendants/agencies** "neither adequately describes redacted material nor explains, with sufficient specificity to enable meaningful review, how its disclosure would likely impair national security." 830 F.2d at 220.

[62] **Defendants/agency's** filing false & misleading reports to support the classification of information pertaining to requester Marino. Agency acted in "**bad faith**" by submitting a false affidavit. See *Military Audit Project v. Casey*, 656 F.2d at 754; *Ground Saucer Watch v. CIA*, 692 F.2d 770, 772 (D.C.Cir.1981). In *Military Audit Project*, the Court noted that the contrary position 'would work mischief in the future by creating a disincentive for an agency (**Defendants/Agencies**) to reappraise its position, and when appropriate, release documents previously withheld." 656 F.2d at 754.

[63] For further discussions of "**bad faith**" and in camera inspection, see *Meeropol v. Meese*, 790 F.2d 942, 958 (D.C.Cir.1986); *McGehee v. CIA*, 697 F.2d 1095 (D.D.C.1982), *Hoch v. CIA*, 593 F.Supp. 680-81.

[64] Marino's requested documents from the **defendants/agencies** involvement in implanting & monitoring electronic microchips in Marino's body & brain on November 24, 1996, while Marino was under general anesthesia at the Massachusetts General Hospital, owned by Partners Health Care Systems Inc., "A Billion Dollar Corporation." (**CEO James Mongan**) for a "Ruse" Laparoscopic exploratory surgery & bullet removal, sustained from a gunshot wound to Marino's left upper buttock's area of Marino's body on November 24, 1996, has generated super advanced esoteric, paranormal scientific technologies & unseen, unexplainable events, & super advanced futuristic intelligence & communications, requires Public Interest in Disclosure. "In cases (*Marino v. Gammel*, 191 F.Supp.2d 243-257 (D.Mass.2002), that involves a strong public interest in disclosure there is...a greater call for in camera inspection.") *Allen v. CIA*, 636 F.2d at 1299.

[65] Marino's requested documents for the most part are already "**Publicly Known Information.**"

See *Marino v. Gammel*, 191 F.Supp.2d 243-257 (D.Mass.2002), showed background of the **Intelligence agencies/Defendants**: NSA, CIA, FBI, DEA, MSP, MGH, Partners Health Care Systems Inc., implanting Marino with numerous electronic devices in Marino's body while Marino was under general anesthesia at the MGH, Boston, Massachusetts on November 24, 1996. The above Nazi Germany's Nuremberg like experiments on a Flesh & Blood Breathing United States Citizen Vincent Michael Marino, born in Boston, Massachusetts on May 11, 1961, became a unwitting by the **defendants/agencies** experiment both historic & current without Marino's valid consent & without a valid court warrant at Marino's physical & mental health expense, causing Marino "Irreparable Harm" mental duress & anguish. Numerous generated X-Ray reports by MGH & U.S. Department of Justice supports that Marino currently is implanted with numerous devices in his brain & body, by over-zealous governmental draconian officials.

Publicly Known Information that Marino is implanted with electronic devices in Marino's body since November 24, 1996 to current date 2011, by Defendants/Agencies DARPA, NASA, CIA, NSA, NRO, FBI, DEA, MSP, MGH, Partners Health Care Systems Inc., & Others both known & unknown government officials

[66] A number of Courts have shown a willingness to accept the argument that publicly known information ***cannot be withheld*** under **Exemption 1**. See, e.g., *Founding Church of Scientology of Washington v. NSA*, 610 F.2d at 831-32 (suppression of “well publicized” information would frustrate policies of Act without advancing countervailing considerations); *Lamont v. Department of Justice*, 475 F.Supp. 761, 772 (S.D.N.Y.1979) (Weinfeld, J.) (The sunshine “purposes of FOIA would be thwarted if the information remained classified after it became part of the public domain); see also *Military Audit Project v. Casey*, 656 F.2d at 741-45 (concluding that precise information withheld had not been previously revealed); *Washington Post Co. v. Department of Defense*, 766 F.Supp. 1, 9-14 (D.D.C.1991) (“***It is a matter of common sense that the presence of information in the public domain makes the disclosure of that information less likely to cause damage to the national security.***” *Id.* at 8).

[67] Additionally, a large number of United States Department of Justice employees from the NSA, CIA, FBI, DEA, DARPA, DOD, NASA, NRO, NSA, DIA, BOP, DOJ, EOUSA, ATF, U.S. Attorney's Office District of Massachusetts Boston, AUSA's ***Vien, Schwartz***, Auerhahn, Young, ***Buell, Bator, Anita Johnson***, & others known & unknown can also support that the concealed classified information contained therein was revealed to them that Marino is implanted with numerous devices in his brain & body on November 24, 1996 at MGH, while under general anesthesia & from February 2004 through December 2010, via physical & electronic surveillance, HUMINT, RADINT, COMINT, SATINT, Audio & Video computerized data compilations in the districts of Massachusetts, New York, Western & Middle Districts of Pennsylvania, Oklahoma & Louisiana, United States Federal Bureau of Prisons: Video's from: FCI McKean Pennsylvania, USP Canaan Pennsylvania, USP Lewisburg Pennsylvania, FCI Ray Brook, New York, MDC Brooklyn New York, FTC Oklahoma, USP Pollock Louisiana, clearly independently corroborating that the concealed documents are in fact made public to everyone except Marino, as it would support that Marino is a unwitting United States & Russian, Japanese, Britain, Germany, historic & current governmental experiment without Marino's valid consent & without a valid Court warrant as the above egregious government's actions are without any transparent corresponding accountability, unconstitutional, unethical, inhumane, replicating the actions of the NAZI Germany's Nuremberg experiments on human beings in a so-called civilized democratic United States of America society against Marino. Now using an “Executive Order” to block its discovery of governmental wrongdoing, as seen in *Marino v. Gammel*, 191 F.Supp.2d 243 (D.Mass.2002).

[68] Some of the generated surveillance documents have been seen on Russian Web-cites, & Wiki-Leaks web sites as well. Also on June 20, 1999 the New York Times published an article along with numerous internet articles, Boston Herald, Boston Globe, United Press International (UPI), Reuters, ABC News, CNN, & Court documents in four separate districts, Massachusetts,

Pennsylvania, Louisiana, & Washington D.C., & the United States Supreme Court Marino's "Writ of Cert" request supports that Marino's claims of being implanted with numerous devices in his brain & body by the above mentioned governmental agencies, MGH, Partners Health Care Systems Inc., also see *Marino v. Massachusetts General Hospital, et al., Civil Action #99-5655H*, Suffolk Superior Court Boston, Massachusetts (State Court), showing public recorded records via supra. Additionally, some of the alleged classified documents were declassified via "*Project Revere*," see *National Security Archives in support*. A full debriefing of: *Assistant United States Attorney Anita Johnson*, of the United States Attorney's Office District of Massachusetts Boston will independently corroborate that Marino was implanted with numerous devices in his brain & body on November 24, 1996, while under general anesthesia at the MGH, by *Defendants/Agencies*, DARPA, NASA, NRO, DIA, CIA, NSA, FBI, DEA, MSP agents with the support of:

MGH's staff Ralph Lounsbury Warren M.D. Surgeon, Martha Welch Dwyer M.D. Surgeon, Patrick Jackson M.D. Surgeon, Andrew Shulick M.D. Surgeon, Edward George M.D. Anesthesiologist, R.N. Holley MacDonald, James H. Balcom M.D., Mark Rieumont M.D. Jonathan N. Adler M.D. Damien E. Dupuy M.D., Luke Morone M.D., Dr. Li, M.D., Dr. Seidman M.D., Susie Y. Kim M.D., Paulette Kaminikas R.N., Maureen Hemingway R.N., J. Tribow R.N., R. Bolton R.N., Virginia Tashitah, R.N.

FBI Agent (Chief of New England Organized Crime) John Gamel (Gammel), DEA agents: Damien Farley, Anthony Roberto, Vincent Kelly, Norman Peterson, Joseph Desmond, Michael Cunniff & Esq., & James Soiles, Massachusetts State Police Commander Thomas Quigley & *AUSA's Antia Johnson, George W. Vien, Carole S. Schwartz*, Buel, Bator, Auerhahn, Young . MGH former president & now CEO: James Mongan of Partners Health Care Systems Inc.

Attorney James Hamrock (former Suffolk County District Attorney) & others both known & unknown culpable persons, most of whom do not possess National Security clearances to see & know about classified national security documents concerning the "Marino Project." See *Marino v. Gammel, 191 F.Supp.2d 243 (D.Mass.2002)*, supports some of supra.

Technological & Medical Reports Independently corroborates that the technology exists & that the Defendants/Agencies et al., both historically & currently use this technology on natural born flesh & blood breathing human beings specifically FOIA/PA Requester Marino as a MRI test exam to Marino's Brain & Body will fully support

[69] See U.S. Department of Justice's Office of Professional Responsibility (OPR) Investigative Reports dated June 24, 1999, July 13, 1999, showing at-least DEA agent Anthony Roberto admitting to stating to Marino on December 15, 1996, that Marino was implanted with numerous electronic devices which can track & listen, in Marino's body by the CIA, MGH's staff while Marino was under general anesthesia on November 24, 1996 at MGH. See *Appendix #44-46*.

[70] MGH's X-Ray Report of Marino's body on November 28, 1996, showing Marino is implanted with an "**Artifact**" in Marino's abdomen. X-Ray Report #4238607, by Radiologist Susie Y. Kim M.D., Mark J. Rieumont M.D. & Jonathan N. Adler M.D. **Appendix #47.**

[71] Dorland's Medical Dictionary 26th Edition ISBN #0-7216-8281-2 (Standard) Copyright 2001, states: **Ar.ti.fact (ahr'ti-fakt)** any artificial (manmade) product; anything not naturally present, but introduced by some external source. **Appendix #48-50.**

[72] U.S. Department of Justice's X-Ray Report of Marino (aka) Portalla's torso on 10-12-2001, shows Marino is implanted with "**Foreign Bodies**" in Marino's torso long after the only one bullet (projectile), was removed from Marino's body on November 24, 1996, by MGH's staff & CIA agents & others known & unknown. **Appendix #51, Exhibit: DOJ.**

[73] New York Times, June 20, 1999, article shows that Marino is seeking an MRI to prove that he is implanted with devices in his brain & body by CIA, FBI, DEA, MSP, MGH, et al. **Appendix #104-106.**

Bay State Company Using Its Brain Power Implantable Chips May Give Disable New Hope Mind over Matter

[74] Scientist hope experiments allowing monkeys to control a computer cursor through brain activity could be applied to paralyzed humans.

1.5 mm Micro Electrode array will measure brain activity while paralyzed patients imagine physical—movements. A Computer will then be programmed to recognize the patterns and perform functions, such as moving a computer cursor with the power of the mind, **Boston Herald, April 14, 2004 by Jennifer Heldt Powell.**

Brain Power

[75] Boston Globe, Tuesday, March 9th, 2004. Brown University Professor John P. Donoghue has developed technology he hopes will turn paralyzed patients thoughts into action. By: Carey Goldberg Globe Staff.

Gate way to the brain Foxborough-based **Cyberkinetics Inc.**, is trying to get paralyzed patients to move a computer cursor merely by thinking it should move. Here's how that would work:

*An Electrode is implanted into the human being's brain, into the area of the motor cortex that controls arm movement.

*The implanted chip's 100 electrodes collect data from several hundred cells & Sends it to computers that decipher the patient's commands and move the cursor or robotic arm.

*Each implanted electrode detects electrical changes in nearby neurons caused by the patient's thoughts.

Sources: Cyberkinetics Inc., Principles of Neural Science, 4th Edition.

[76] See well documented Dr. Perssinger's human brain implanted electronic devices experiments from Canada, which facilitates out of body experiences. Also see Dr. Delgado's book: "Physical Control of the Mind Towards a Psycho-Civilized Society" By J.M.R. Delgado 1968 New York Harper & Row. "Brain implants."

United States Patent Number 5,629,678 Inventor Gargano, et al., Belmont, Massachusetts Filed: January 10th, 1995, Approved May 13, 1997. Shows:

ABSTRACT

[77] Apparatus for tracking & recovering humans utilizes an implantable transceiver incorporating a power supply & actuation system allowing the unit to remain implanted & functional for years without maintenance.

The implanted transmitter may be remotely actuated by the person implanted.

Power for the remote activated receiver is generated electro-mechanically through the movement of body muscle.

The device is small enough to be implanted in a child, facilitating use as a safeguard against kidnapping & has a transmission range which also makes it suitable for wilderness sporting activity.

A novel biological monitoring feature allows the device to be used to facilitate prompt medical dispatch in the event of heart attack or similar medical emergency. A novel sensation-feed back feature allows the implanted person to control & actuate the device with certainty.

Microchip Implants

[78] ***Defendants/agency's "RHIC" Radio Hypnotic-Intra-Cerebral-Control "aka"*** (Human Brain Implants) techniques call for the implantation of micro-sized electronic radio receiver.

The implantation most frequently is made by highly trained teams within the Intelligence (***Defendants/agency's***) community.

The procedure involves the insertion of the micro-receiver (or transceiver) into the desired area of the brain such as the frontal lobe or temporal lobe of the subject in question (Marino).

The device acts as a stimulator which can activate a muscle, nerve or brain frequency upon receiving the proper signal & will then initiate a desired response.

The receiver generates sensory afferent nerves. These register as sensations which are the basis for perception.

What's being said here is that the people (***Defendants/agency's***/MGH/Partners Health Care Systems Inc) doing this have gone beyond mere tracking & have moved into making us perceive things. "Under projects such as Mk-ULTRA, MK-DRAGO, MK-HATTER today's receivers are much smaller than the originals.

Several types of “*encephalators*” are used to implant the devices into the human brain tissue through the nostril of the sedated subject after hallucinatory programming has commenced. The process is painful & in some cases, may result in later ear & throat problems for the subject (Marino) in question.

Another method used by some programs is the use of an oral *encephalator* to insert the transceiver or receiver through the soft palette (sic) of the mouth into the brain tissue. This method is also conducted in concert with hallucinatory program cues. See www.truefax.org & <http://alienjigsaw.co/yk2.milab.html>. See [Atlantic Rising.com](http://AtlanticRising.com). #800-228-8381, Document Number 38, pages 1, 32, 33, 66, 67 in support.

Feds Investigative the Power of the Mind

[79] The government & Universities are studying the human brain & learning you can do anything if you put your mind to it. By: Jack Phillips, June 23, 2003, American Free Press.

Implant turns thought into action for paralyzed man

[80] A 25 year old Massachusetts man who can't move his arms and legs has been checking his e-mail & changing television channels just by thinking about it. The man **Matthew Nagle**, is the first person ever to receive a brain implant that transmits his thoughts to a computer cursor, using technology originally developed and tested on monkeys at Brown University. Nagle received the implant at Rhode Island hospital in late June and began using it about six weeks later. He is the first participant in a study of the device, known as **Brain Gate**, developed by the Foxboro-based Cybernetics Neuro-Technology Systems. The research is financed by venture capital. Brain Gate is a silicon wafer about a sixth-inch square, with 100 hair-thin electrodes that extend a sixteenth of an inch into the brain. When Nagle thinks about moving his arm, the electrodes pick up his brain signals and transmit them to a half-inch pedestal on the outside of his head. The signals then travel through a fiber-optic cable to a cart laden with computer equipment. This equipment translates Nagle's brain signals into a code understood by the computer that Nagle wants to use. So when he thinks of lifting his arm & moving the cursor, those thoughts travel to the computer & the cursor moves. “He's a highly motivated, very courageous person,” said **Dr. Jon Mukand**, who is leading the study at the **Sargent Rehabilitation Center in Warwick, Rhode Island**. “He's really a pioneer—the first human being to have this device implanted in his brain.” But Nagle is a long way from independence. He uses the equipment about three times a week, when the technicians come to start it up. But a day may come when Brain Gate will be used to actually move paralyzed limbs, by activating electrical stimulation devices connected to muscles. The Providence Journal & **Boston Herald, Monday October 25, 2004, page 15**.

Tiny Devices Make Big Difference

[81] St. Louis Park, Minn. **Don Falk** stretched his right arm over his head, past the faint marks where a surgeon sank two wires deep in his brain, to show how uncontrollable tremors in his hand used to slap him awake in the morning.

It was just one of many difficulties he suffered as his Parkinson's disease advanced. Falk had trouble shaving and walking, and his medication caused his head to twitch awkwardly, making him self-conscious in church.

In May, Falk, 52, started to get better with the help of an emerging class of implantable medical devices called **Neuro-Modulators**—tiny machines that stimulate the central nervous system to treat a host of disorders. Analysts say they could be the next big thing for some of the market's hottest medical technology companies. The deep brain stimulator silently pulsing away deep in Falk's head is made by **Medtronic Inc.**, a multibillion dollar medical device company & the leader in the more than \$1 billion dollar market for **Neuromodulators**. Medtronic has the only deep brain stimulator on the market.

St. Paul-based St. Jude Medical Inc. is in clinical trials of its own version through it's newly Acquired subsidiary: **Advanced Neuromodulation Systems Inc. of Plano, Texas** which already sells spinal implants to treat chronic pain.

Cyberonics Inc. of Houston is the smallest player, with a device to treat epilepsy by shocking a nerve in the neck, and **Boston Scientific** bought into the market in 2004 by acquiring **Sylmar, California-based Advanced Bionics Corp.**, a maker of robotic inner ears. The acquisitions show even some of the nation's hottest medical technology companies see **neuromodulation** as part of their future, said Jan Wald, an analyst for A.G. Edwards. "They were looking for growth & they found it with Neuromodulation," Wald said. See Associated Press. **Boston Herald Feb. 27, 2006.**

Conclusion

WHEREFORE, Plaintiff Marino prays that this Honorable Court:

1. Declare that defendants/agencies, supra refusal to disclose the records requested by Plaintiff Marino is unlawful;
2. Order defendants/agency's supra to make the requested records available to Plaintiff Marino;
3. Award Plaintiff Marino his court costs filing fee and reasonable attorneys' fees in this action, and;
4. Order the defendants/agency's supra to identify other agencies & or persons & or corporations, or other entities involved in the Marino experiment, research & development, study, implantation of electronic devices in Marino's brain & body, domestic & foreign agencies involved etc.
5. Grant Plaintiff Marino such other & further relief as the Court may deem just & proper.

Signed under 28 U.S. Section 1746, under penalties of perjury the above to be true, correct & complete. Marino requests that the agency defendants, supra, have transparent corresponding accountability and hand over the above requested documents to further the administration of justice. Pro Per In Propria Persona Proceeding Sui Juris.

*Respectfully Submitted By
Plaintiff/Claimant/Affiant:*

Vincent Michael Marino

Vincent Michael Marino

14431-038

USP Pollock

P.O. Box Pollock, Louisiana

71467

April 26th 2011

Certificate of Service

I Plaintiff Marino hereby Certify that this Motion & Memorandum of Law in Support was sent via United States Mail/Postage Prepaid on this **26, day of April, 2011**, to the following:

Clerk of Courts

Clerk's Office
U.S. District Court
United States Courthouse
District of Columbia Circuit
333 Constitution Ave. N.W.
Room 1225
Washington, D.C.
20001

United States Attorney

District of Columbia Circuit
United States Courthouse
333 Constitution Ave. N.W.
Washington, D.C.
20001

CIA Agency Release Panel
Ref.#P-2011-0057 FOIA/PA
Washington, D.C. 20505

National Security Counsel
(NSC) FOIA/PA #Date 10-13-2010
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20500-0003

NSA FOIA Case #63268A
FOIA/PA
9800 Savage Road
Suite 6248
Fort George G. Meade
Maryland, 20755-6248

National Security Director

(NSD) FOIA/PA# Dates: 2006, 2010, 2011.
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20511

DIA ATTN: DAN-1A
FOIA#U-10-4,500 DAN-1A
PA#0011-2011
FOIA#U-11-6,515/DAN-1A

Department of State

(DOS) FOIA/PA #_____.
1600 Pennsylvania Ave. N.W.
Washington, D.C. 20500

200 McDill Blvd
Washington, D.C.
20340-5100

NASA FOIA/PA
Ref.#11-HQ-F-00079
Headquarters
Mail Suite FOIA
Washington, D.C.
20546-0001

DARPA FOIA #05-FP-1008
3701 North Fairfax Drive
Arlington, Virginia
22203-1714

NRO
FOIA/PA Ref.#P11-0004
NRO Appeal Authority
14675 Lee Road
Chantilly, Virginia
20151-1715

FBI FOIA #1143388-01
Appeal #AP-2011-00602
ADW: RMF
Office of Information
Policy (OIP) (DOJ)
1425 New York Ave
N.W. Suite 11050
Washington, D.C.
20530-0001

**National Geospatial
Intelligence Agency (GIA)**
FOIA #OGCA-2011-10C
Bethesda FOIA/PA Unit
4600 Sangamore Road
Bethesda, Maryland
20816-5003

Department of Energy
(DOE) FOIA # F-2004-00138
1000 Independent Ave S.W.
Washington, D.C. 20585

**Defense Threat Reduction Agency
(DTRA)** DIR-PA (FOIA)
#11007 e-mail efoia@dtra.mil
8725 John J. Kingman Road
Fort Belvoir, Virginia
22060-6201

**Drug Enforcement Administration
(DEA)** Headquarters FOIA#05-0777-P
8701 Morrisette Drive
Springfield, Virginia 22152

Federal Bureau of Prisons (FBOP)
FOIA/PA Unit
U.S. Dept. of Justice
HOLC Building
Suite 841
Washington, D.C. 20534

**United States Attorney General
United States Department of Justice**
950 Pennsylvania Avenue N.W.
Room 4400
Washington, D.C. 20530

**National Science Foundation
(NSF)** FOIA/PA #11-023F.
4201 Wilson BLVD.,
Arlington, Virginia
22230

**Bureau of Alcohol
Tobacco, Firearms
& Explosives**
950 Pennsylvania Ave
N.W. Washington, DC
20530

**Office of Science and
Technology & Policy (OSTP)**

FOIA #11-04

e-mail OSTPFOIA@ostp.eop.gov
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20502

Department of Defense (DOD)

FOIA/PA #04-F-1804 & #04-P-0167 & 10-13-2010.
1155 Defense Pentagon
Washington, D.C. 20301-1155

Commander U.S. Army Intelligence & Security

Command FOIA/PA#1084P-05, #1730P-04,
#1419P-04
4552 Pike Road, Fort Meade Maryland
20755-5995

Department of Home Land Security

(DHLS) FOIA/PA # Dates: 1-18-2006, 10-13-2010 & 2011.
1300 Pennsylvania Ave. N.W.
Washington, D.C. 20229

Dept. of the Army Headquarters FOIA#04-00280

U.S. Army Medical Command #04-00196
2050 Worth Road Fort Sam
Houston, Texas 78234-6000

**Commandant of the Marine Corp.
Headquarters U.S. Marine Corps**

(ARSF) FOIA#HQMC-2005-00799 5720-ARSF-B,
5 U 101-217-HQMC-2005-00699
2 Navy Annex Washington, D.C. 20380-1775

The Office of the Judge Advocate

General (Code 14) FOIA#5720-F05156-
ser JSH/436 & #5720-F05198-ser MLJ/
R471. 1322 Patterson Ave SE, Ste. 3000
Washington, D.C. 20374-5066

Dept. of the Air Force HAF/ICIOD (FOIA)

FOIA#05-0755. 1000 Air Force Pentagon
Washington, D.C. 20330-1000

Dept. Of the Navy Headquarters Code 00LTF

FOIA#570-F05-0677 SER 00LJF/5 U0859
716 Sicard St SE Ste 2000
Washington, Navy Yard D.C. 20388-5380



Vincent Michael Marino

14431-038

USP Pollock P.O. Box 2099

Pollock, Louisiana

71467


April 26th 2011.



Memorandum



Subject Allegation of Biochip Implant Incident by Defendant Vincent Michael Marino	Date
--	------

To William C. Brown Deputy Chief Inspector Office of Professional Responsibility 	From Mary E. Colarusso Unit Chief Integrity Analysis and Support Unit Office of Professional Responsibility
--	---

OPR Program Analyst Marie Fella reviewed documentation dated from March 9, 1999 through June 24, 1999 concerning allegations made by Defendant Vincent Michael Marino aka Vincent Michael Portalla alleging that the Drug Enforcement Administration (DEA) had a microchip implanted in his stomach when he was admitted to the Massachusetts General Hospital in Boston for a bullet wound on November 24, 1996.

A review of the cassette tape and documentation provided by Defendant Vincent Michael Marino did not reveal any evidence that any misconduct by DEA agents transpired. The information found on the tape revealed that a DEA Special Agent (alleged by Defendant Marino to be S/A Damian Farley) stated DEA S/A Anthony Roberto jokingly told Defendant Marino at the time of his arrest at Logan Airport located in Boston on December 15, 1996 that a biochip tracking device had been planted where he had been previously shot. Defendant Marino was arrested at Logan Airport for attempt to possess excess five kilograms of cocaine. Defendant Marino is currently incarcerated at Wyatt Detention Facility located in Central Falls, Rhode Island.

On June 24, 1999 Defendant Marino mailed documentation to OPR indicating previously reported allegations concerning the implant of the microchip but also alleging that since the operation S/A Roberto has approached Defendant Marino to sign a release form to surgically remove this device so that the DEA can return the device back to the CIA. Defendant Marino stated he refused to sign the release form. Eventhough this information sounds inconceivable OPR may want to telephonically contact S/A Roberto and S/A Farley to get their version of the events and confirm that S/A Roberto did not ask Defendant Marino to sign a release form. This action will show OPR addressed the issue in an appropriate manner.

Exhibits

Appendix #44.

11 0813
FILED
APR 29 2011
Clerk, U.S. District & Bankruptcy
Courts for the District of Columbia

Exhibit: OPR

Memorandum



Subject

IGF-PR-99-2000/Defendant Vincent Michael Marino
Telephonic Conversation between
OPR and Special Agent Anthony Roberto

Date

JUL 16 1999

To

William A. Dodge
Associate Deputy Chief Inspector
Office of Professional Responsibility

From

Marie A. Fella
Program Analyst
Office of Professional Responsibility

The Drug Enforcement Administration (DEA)/Office of Professional Responsibility (OPR) has received documentation concerning an allegation that DEA implanted a microchip on the body of Defendant Vincent Michael Marino aka Vincent Michael Portalla. Defendant Marino alleges that DEA Special Agent (SA) Anthony Roberto is responsible for the implant.

On July 13, 1999, DEA/OPR Program Analyst (PA) Marie Fella telephonically had a conversation with SA Roberto (who is currently working at the DEA Worcester, Massachusetts, Post of Duty Office) concerning the aforementioned implant allegations. SA Roberto admitted that he knew Defendant Marino. SA Roberto said he was present when Defendant Marino was arrested at Logan Airport in Boston, Mass in 1996. SA Roberto stated he *jokingly* told Defendant Marino that he had a microchip implanted on his body. SA Roberto stated that Defendant Marino was in a drugged state during the conversation. SA Roberto also stated he had jokingly told Defendant Marino that he wanted Defendant Marino to sign a release form so that the microchip could be surgically removed. SA Roberto also stated he told Defendant Marino that DEA had previously implanted microchips on individuals on the west coast but he was the first on the east coast.

On July 13, 1999, Associate Deputy Chief Inspector (ADCI) William A. Dodge informed Special Agent in Charge (SAC) John Gartland, Boston Field Division, of the allegations concerning SA Roberto and advised SAC Gartland that OPR would be in contact with SA Roberto about the allegations.

This memorandum confirms that OPR contacted SA Roberto and he stated that he was joking with Defendant Marino about a microchip implant. It should be noted that all documentation pertaining to this allegation will be filed under IGF-PR-99-2000.

cc: OPR Chron
Subject (IGF-PR-99-2000)
PRS Chron

Appendix #45.

Exhibit: OPR

24 2001 16:00 FR IGA

0 37038

P.03/03

Memorandum



Subject
Defendant Vincent M. Marino's Allegations against
Special Agent Anthony Roberto

Date

JUL 29 1999

To
The File

From

William C. Brown
William C. Brown

Deputy Chief Inspector

Office of Professional Responsibility

The Office of Professional Responsibility (OPR) has reviewed the allegations by Defendant Vincent M. Marino aka Vincent Michael Portalla regarding SA Anthony Roberto, who is assigned to the DEA Worcester, Massachusetts Post of Duty Office. The preliminary investigation into this matter revealed no evidence to support this claim. Therefore, this matter is closed.

cc: Marie Fella, PRS
Jeanine Lauth, PRS Acting Supervisor

bcc: IGF-PR-99-2000.1
ADCI WADodge_____/WCB:mm/07/26/99/Docs#34473
OPR Subj/Chron Files

4

EXHIBIT: OPR

Appendix #46.

MASSACHUSETTS GENERAL HOSPITAL
RADIOLOGICAL CONSULTATION

NAME: MARINO, VINCENT M

MRN: 3041708 SEX: M
DOB: 11-May-1961

PA & Lat. Chest AN #4238607
28-Nov-1996 12:32 AM

History: S/P GUN SHOT WOUND 2 DAYS AGO, FEVER.

=====

PA AND LATERAL CHEST.

There are no prior studies available for comparison at this time.

There is no definite pneumonia. The cardiac and mediastinal contours are within normal limits. There is a linear opacity on the lateral view which could represent an artifact.

IMPRESSION:

1. NO DEFINITE PNEUMONIA.
 2. ON THE LATERAL VIEW, THERE IS A LINEAR OPACITY IN THE ABDOMEN WHICH MOST LIKELY REPRESENTS AN ARTIFACT.
- [REDACTED]

=====

RADIOLOGIST: KIM, SUSIE Y, MD	/signed by/ KIM, SUSIE Y, MD
RADIOLOGIST: RIEUMONT, MARK J, MD	/signed by/ RIEUMONT, MARK J, MD

Requester: ADLER, JONATHAN N, MD
Physician: UNKNOWN, PHYSICIAN

Pat Loc at Time of Print: W722B

Exhibit: Definition: 26th Edition Dorlands Medical Dictionary
Copyright 2001 ISBN # 0-7216-8281-2 Page 87, states as follows:

arti-fact: (ahr'ti-fakt") any artificial (manmade) product;
anything not naturally present, but introduced by some external
source.

Exhibit: B

Appendix #47.



DORLAND'S
Pocket
MEDICAL
DICTIONARY

Appendix #48.

W.B. SAUNDERS COMPANY
A Harcourt Health Sciences Company

The Curtis Center
Independence Square West
Philadelphia, Pennsylvania 19106

Dorland's pocket medical dictionary.

Philadelphia, W.B. Saunders Co.

v. ill. 17 cm.

"Abridged from Dorland's illustrated medical dictionary."
Continues: American pocket medical dictionary.

1. Medicine—Dictionaries.

R121.A5

610'.3—dc19

98-578

Library of Congress [8701r85]rev2

MARC-S

Dorland's Pocket Medical Dictionary ISBN 0-7216-8281-2 (STANDARD)
0-8089-2184-3 (INTERNATIONAL)

Copyright © 2001, 1995, 1989, 1982, 1977, 1968, 1959 by W.B.
Saunders Company

Copyright 1953, 1946, 1942, 1938, 1934, 1930, 1926, 1922, 1919, 1917,
1915, 1913, 1911, 1909, 1906, 1903, 1900, 1899, 1898 by W.B.

Saunders Company

Copyright renewed 1987, 1974, 1970, 1966, 1962, 1958, 1954, 1950,
1947, 1945, 1943, 1941, 1939 by W.B. Saunders Company

All rights reserved. No part of this publication may be reproduced or
transmitted in any form or by any means, electronic or mechanical,
including photocopy, recording, or any information storage and
retrieval system, without permission in writing from the publisher.

Printed in the United States of America.

Last digit is the print number: 9 8 7 6 5 4 3 2 1

Appendix #49.

Appendix #50,

art·ti·fact (ahr'ti-fakt") any artificial (man-made) product; anything not naturally present, but introduced by some external source.

EXHIBIT: RRR

making it hard to detect via x-rays.

Conspiracy Nation (Vol. 8, No. 97) allegedly, intercepted an "official", high-level, IBM document that reports pilot-testing implants in prisoners in Texas, Massachusetts, and California. The highly-classified IBM document reports prisoners were unknown "guinea pigs" of the biochip titled "20/20 Neural Chip"

Arizona Republic (July 20, 1989, p. B1) reports of private investigator Jack Dunlap's plan to microchip and track children. The system, titled KIDSCAN, would enable the authorities to locate a missing child. Arizona Republic writes, "Each child whose parents signed up for KIDSACN would get a computer chip planted under the skin and an identification number." According to Dunbar, Pennsylvania investors were prepared to invest \$600,000 and military-industrial powerhouse, Martin Marietta Energy Systems, Inc. was prepared to produce the chips. In the end, Martin Marietta backed out and Dunbar's KIDSCAN came to naught. As Parascope comments on Dunlaps' failed KIDSCAN, "The year was 1989. Perhaps the idea came before its time. But as the technology for such tracking systems continues to advance, more and more companies are eyeing the potentially lucrative human tracking market."

A very interesting and "enlightening" case recently popped up in a Worcester, Mass. court in June, 1999.

Reputed mobster, Vincent (Gigi Portalla) Marino took the Federal Drug Enforcement Administration (FDEA) to court claiming they "had secretly implanted a microchip tracking device in his body two and a half years ago during surgery to remove a bullet from his buttocks."

Here's the New York Times report on the "unusual" case:

"In an unusual case that unfolded in Worcester, Mass., last week, a reputed mobster by the name of Vincent (Gigi Portalla) Marino went to court to find out whether the Federal Drug Enforcement Administration had secretly implanted a microchip tracking device in his body two and a half years ago during surgery to remove a bullet from his buttocks.

Prosecutors first argued that the Government was not required to confirm whether it had done such a thing, but later, after a judge ordered them to respond, they said the drug agency had not implanted a microchip in Mr. Marino." (New York Times, June 20, 1999)

What made Vincent Marino believe that the government had "biochipped" him?

A FDEA agent told him! According to the New York Times report – "... Mr. Marino said a drug agent told him had been implanted by the Government." Marino is currently in prison, and requesting an MRI scan to check for a microchip.

Here's the "enlightening" — and the "frightening" part:

"Intriguingly, the Federal Bureau of Investigation would not say whether it ever uses such tracking devices. 'This is going to fall into the no-comment category,' said a bureau spokesman, Paul Bresson. 'It's discussing investigative techniques, and that's about akin to a journalist disclosing confidential sources. It's very sensitive.' (New York Times, June 20, 1999)

But are humans currently being "biochipped"?

Legal Mail For Appeal

Is the biochip the Mark of the Beast?

by Terry Watkins

Copyright © 1999 Dial-the-Truth Ministries

Is the biochip the Mark of the Beast?

The biochip technology was originally developed in 1983 for monitoring fisheries, it's use now includes, over 300 zoos, over 80 government agencies in at least 20 countries, pets (everything from lizards to dogs), electronic "branding" of horses, monitoring lab animals, fisheries, endangered wildlife, automobiles, garment tracking, hazardous waste, and according to the experts - humans (which we'll examine in detail later). To date, over 7 million animals have been "chipped". The major biochip companies are A.V.I.D. (American Veterinary Identification Devices), Trovan Identification Systems, and Destron-Fearing Corporation.

And according to most modern-day "prophecy teachers" . . . the implanted biochip is the soon-coming, 666: Mark of the Beast.

This article contains 3 parts:

- Part 1: What is the biochip? Detailed description of a biochip and how it works.
- Part 2: Is the biochip the Mark of the Beast? Is the biochip the technology for 666: The mark of the Beast? What saith the scriptures. . .
- Part 3: Are humans being biochipped? Are humans currently being biochipped? Are there plans to biochip humans in the near future? Read what the "experts" say. We've listed over 30 opinions from the "experts"

Part 1: What is The Biochip Technology?

What is a biochip implant?

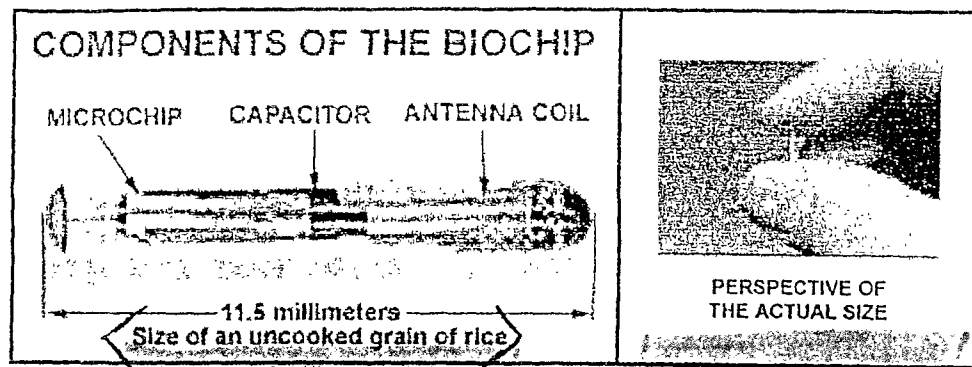
The current, *in use*, biochip implant system is actually a fairly simple device. Today's, biochip implant is basically a small (micro) computer chip, inserted under the skin, for identification purposes. The biochip implant system consists of two components; a transponder and a reader or scanner. The transponder is the actual biochip implant. The biochip system is a radio frequency identification (RFID) system, using low-frequency radio signals to communicate between the biochip and reader. The reading range or activation range, between reader and biochip is small, normally between 2 and 12 inches.

Note, we are only examining the implanted "biochips", there are many other RFID microchip systems available

The transponder: The transponder is the actual biochip implant. It is a *passive* transponder, meaning it contains no battery or energy of it's own. In comparison, an *active* transponder would provide it's own energy source, normally a small battery. Because the *passive* biochip contains no battery, or nothing to wear out, it has a very long life, up to 99 years, and no maintenance. Being *passive*, it's inactive until the reader activates it by sending it a low-power electrical charge. The reader "reads" or "scans" the implanted biochip and receives back data (in this case an identification number) from the biochip. The communication between biochip and reader is via low-frequency radio waves

The biochip-transponder consists of four parts, computer microchip, antenna coil, capacitor and the glass capsule.

EXHIBIT RRR

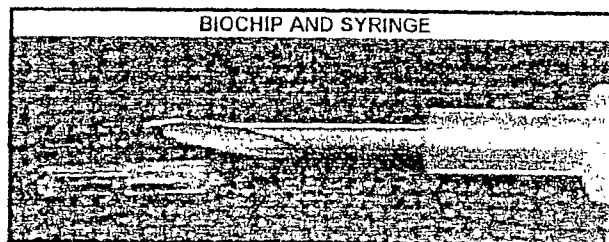


Computer Microchip: The microchip stores a unique identification number from 10 to 15 digits long. The storage capacity of the current microchips is limited, capable of storing only a single ID number. AVID (American Veterinary Identification Devices), claims their chips, using a nnn-xxx-xxx format, has the capability of over 70 trillion unique numbers. The unique ID number is "etched" or encoded via a laser onto the surface of the microchip before assembly. Once the number is encoded it is impossible to alter. The microchip also contains the electronic circuitry necessary to transmit the ID number to the "reader".

Antenna Coil: This is normally a simple, coil of copper wire around a ferrite or iron core. This tiny, primitive, radio antenna "receives and sends" signals from the reader or scanner.

Tuning Capacitor: The capacitor stores the small electrical charge (less than 1/1000 of a watt) sent by the reader or scanner, which activates the transponder. This "activation" allows the transponder to send back the ID number encoded in the computer chip. Because "radio waves" are utilized to communicate between the transponder and reader, the capacitor is "tuned" to the same frequency as the reader.

Glass Capsule: The glass capsule "houses" the microchip, antenna coil and capacitor. It is a small capsule, the smallest measuring 11 mm in length and 2 mm in diameter, about the size of an uncooked grain of rice. The capsule is made of biocompatible material such as soda lime glass. After assembly, the capsule is hermetically (air-tight) sealed, so no bodily fluids can touch the electronics inside. Because the glass is very smooth and susceptible to movement, a material such as a polypropylene polymer sheath is attached to one end of the capsule. This sheath provides a compatible surface which the bodily tissue fibers bond or interconnect, resulting in a permanent placement of the biochip.



The biochip is inserted into the subject with a hypodermic syringe. Injection is safe and simple, comparable to common vaccines. Anesthesia is not required nor recommended. In dogs and cats, the biochip is usually injected behind the neck between the shoulder blades. Trovan, Ltd., markets an implant, featuring a patented "zip quill", which you simply press in, no syringe is needed. According to AVID "Once implanted, the identity tag is virtually impossible to retrieve. . . The number can never be altered"

EXHIBIT RRR

Appendix #106